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12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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15 UNITED STATES OF AMERICA, ) No. CR-07-00488 CW  
16 vs. )  
17 Plaintiff, ) STIPULATION AND [PROPOSED]  
18 ANDRE MATTHEWS, et al. ) ORDER CONTINUING STATUS  
19 Defendant. ) HEARING  
20 Hearing Date: October 24, 2007  
21 Requested Date: November 28, 2007  
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It is hereby stipulated that the STATUS hearing date of October 24, 2007 be continued to November 28, 2007 at 2:00 p.m. In addition, the parties stipulate and agree that time should be excluded between October 24, 2007 and November 28, 2007 due to the ongoing investigation by defense counsel. Approximately 4000 pages of discovery have been produced to defense counsel in electronic form. Not all of this has been printed. This electronic discovery has been converted to OCR searchable form by defense counsel and distributed to all defense counsel. Seven CD-ROM's of discovery recently received have not been reviewed. Calculation of loss value exposure will be a complicated process in this case and is ongoing. The parties understand the court's preference for setting of motions by stipulation; however, the parties are not in a position

1 to assess the time needed for discovery review or motions preparation. The parties will attempt  
2 to propose a motions schedule by stipulation prior to the requested next appearance.

3 The parties agree that the ends of justice served by the continuance requested herein  
4 outweigh the best interest of the public and the defendant in a speedy trial because the failure to  
5 grant the continuance would deny the counsel for the defendant the reasonable time necessary for  
6 effective preparation, taking into account the exercise of due diligence. Time should therefore be  
7 excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

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9 10-23-07 \_\_\_\_\_ /s/  
10 Date John Paul Reichmuth  
11 Assistant Federal Public Defenders  
Counsel for defendant Johnson

12 10-23-07 \_\_\_\_\_ /s/  
13 Date Richard Tamor  
14 Counsel for defendant Bacon

15 10-23-07 \_\_\_\_\_ /s/  
16 Date Garrick Lew  
17 Counsel for defendant Alexander

18 10-23-07 \_\_\_\_\_ /s/  
19 Date Gail Shifman  
20 Counsel for defendant Kautzman

21 10-23-07 \_\_\_\_\_ /s/  
22 Date John Hemann  
23 Counsel for defendant Matthews

24 10-23-07 \_\_\_\_\_ /s/  
25 Date Laura Robinson  
26 Counsel for defendant Enriquez

27 10-23-07 \_\_\_\_\_ /s/  
28 Date Mark Goldrosen  
29 Counsel for defendant Reyes

10-23-07 \_\_\_\_\_  
Date

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/s/

10-23-07  
Date

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/s/  
Keslie Stewart  
Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S) within this efiled document. /S/ John Paul Reichmuth

/S/ John Paul Reichmuth  
Counsel for Defendant Alicia Johnson

## ORDER

10 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
11 finds that the ends of justice served by the continuance requested herein outweigh the best  
12 interest of the public and the defendant in a speedy trial because the failure to grant the  
13 continuance would deny the counsel for the defendant the reasonable time necessary for effective  
14 preparation, taking into account the exercise of due diligence. The Court makes this finding  
15 because the parties continue to investigate the new discovery, which is voluminous.

Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of October 24, 2007 at 2:00 p.m. be continued to November 28 and that time be excluded from October 24, 2007 to November 28, 2007 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and (B)(iv).

IT IS SO ORDERED.

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Date

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Hon. Claudia Wilken  
United States District Judge